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Practitioner's Docket No. MPI00-343P1RRCEM

- iii. ☒ Prior to a decision on appeal to the Board of Patent Appeals & Interferences
- iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145

PREVIOUSLY SUBMITTED

- 3. Consideration of the arguments submitted in the Amendment filed February 15, 2005, is requested. A copy of the amendment previously filed is submitted herewith (5 pages).

ENCLOSURES

- 4. Enclosed herewith is/are:

- ☒ An information disclosure (37 C.F.R. Section 1.98)
 - ☒ Form PTO-1449 (PTO/SB/08A and 08B)
 - ☒ Copy of 14 references (A1 and C1-C13)
- ☒ An amendment
 - ☒ A complete copy of the Amendment and Response filed February 15, 2005 (5 pages)
- ☐ New arguments
- ☐ New evidence in support of patentability
- ☐ Other:

FEE FOR REQUEST (37 C.F.R. Section 1.17(e)).

- 5. This application is on behalf of other than a small entity \$790.00
 - Continued Prosecution Request Fee \$790.00

FEE FOR CLAIMS

6. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)	OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra	Rate	Addit. Fee
Total	0	Minus	0	=	0	\$18.00	= \$0.00
Indep.	0	Minus	0	=	0	\$86.00	= \$0.00
First Presentation of Multiple Dependent Claims			0			\$290.00	= \$0.00
						Total Addit. Fee	\$0.00

Total additional fee for claims required \$0.00

(c) ☒ No additional fee is required.

OR

(d) ☐ Total additional fee required is \$0.00

EXTENSION OF TIME

7. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

(a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(4), for the total number of months checked below:

Extension (months)	Fee for <u>small entity</u>	Fee for other than <u>small entity</u>
<input type="checkbox"/> one month	\$ 55.00	\$ 110.00
<input type="checkbox"/> two months	\$ 210.00	\$ 420.00
<input type="checkbox"/> three months	\$ 475.00	\$ 950.00
<input type="checkbox"/> four months	\$ 740.00	\$1,480.00
	Fee	<u>\$0.00</u>

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If an additional extension of time is required, please consider this a petition therefor.

- ☐ An extension for _____ months has already been secured, and the fee paid therefor of \$0.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$0.00

OR

- (b) ☒ Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE(S) DUE

8. The total fee(s) due is/are:

Continued Prosecution Fee (Section 1.17(e))	<u>\$790.00</u>
Fee(s) for additional claims (if any) (Section 1.16(b)-(d))	<u>\$0.00</u>
Extension of time fee (if any) (Section 1.17(a)(1)-(4))	<u>\$0.00</u>
Total Fee(s) Due:	<u>\$790.00</u>

PAYMENT OF FEE(S) DUE

9. Please pay the fee(s) for this continued examination application as follows:

- ☐ Check is attached for the sum of _____
- ☒ Charge Account 501668 the sum of \$790.00
- ☐ Charge Credit Card the sum of _____
(Credit Card Payment Form (PTO-2038) attached.)

Please charge any required additional fee(s) for Section 1.17(e), Section 1.16(b)-(d) and/or Section 1.17(a)(1)-(4) to

- ☒ Account 501668
- ☐ Credit Card (Credit Card Payment Form (PTO-2038) attached.)

INVENTORSHIP

10. This application as amended names as inventors:

- ☒ the same inventors as previously designated for the claims.
- ☐ fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.
- ☐ a person not named previously as an inventor and a petition under 37 C.F.R. Section 1.48 is/has separately:
- ☐ being filed
- ☐ been filed

11. Correspondence Address

Direct all future correspondence to:

Customer Number 30405

OR

Intellectual Property Department
MILLENNIUM PHARMACEUTICALS, INC.
40 Landsdowne Street
Cambridge, MA 02139

April 13, 2005

MILLENNIUM PHARMACEUTICALS, INC.

By 

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